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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 JOE J.W. ROBERTS, JR.,

9 Plaintiff,

10 v.

11 VILMA KHOUNPHIXAY, et al.,

12 Defendants.

CASE NO. C18-cv-00746-MJP-BAT

**ORDER DIRECTING PLAINTIFF
TO PROVIDE FULL NAME AND
CURRENT SERVICE ADDRESS OF
UNSERVED DEFENDANT**

13 On May 24, 2018, the Court directed service of the summons and complaint upon all
14 named Defendants (Vilma Khounphixay, J. Warner, J. Robison, Lynn (Nurse), Heather Helms,
15 Lindsay McIntyre, and Officer Ayala). Dkt. 6. With the exception of “Lynn (Nurse),” all
16 Defendants returned waivers of service, have answered Plaintiff’s Complaint, and are defending
17 this action. No waiver of service was returned for “Lynn (Nurse).” Because service has not yet
18 been perfected, the Court lacks personal jurisdiction over Defendant Lynn (Nurse).

19 Plaintiffs proceeding *in forma pauperis* still bear the burden of providing accurate and
20 sufficient information to effect service of the summons and complaint. When a *pro se* plaintiff
21 fails to provide the court with accurate and sufficient information to effect service of the
22 summons and complaint, the Court’s *sua sponte* dismissal of the unserved defendant is
23 appropriate. *Walker v. Sumner*, 14 F.3d 1415, 1421-22 (9th Cir. 1994) (quoting *Puett v.*

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1 *Blanford*, 912 F.2d 270, 275 (9th Cir. 1990)), *abrogated on other grounds by Sandin v. Connor*,
2 515 U.S. 472 (1995). Pursuant to Fed. R. Civ. P. 4(m), if a defendant is not served within 90
3 days after the complaint is filed, the court — on motion or on its own after notice to the plaintiff
4 — must dismiss the action without prejudice against that defendant or order that service be made
5 within a specified time.

6 Accordingly, the Court **ORDERS**:

7 Plaintiff is directed to provide the Court with a full name and current service address for
8 Defendant Lynn (Nurse) so the Court can again attempt service by mail. This address must be
9 provided to the Court on or before **October 17, 2018**. If plaintiff is unable to do so (for example,
10 if the person does not exist), or if Plaintiff requires additional time to obtain the information, he
11 should file documentation describing the steps he has taken to obtain Defendant Lynn (Nurse)'s
12 full name and current address and explain why he is unable to comply with this Order. Plaintiff
13 is cautioned that a failure to comply with this Order will result in the Court's recommendation
14 that Defendant Lynn (Nurse) be dismissed from this case for failure to prosecute.

15 The Clerk shall send a copy of this Order to Plaintiff and to counsel for Defendants.

16 DATED this 3rd day of October, 2018.

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19 BRIAN A. TSUCHIDA
20 Chief United States Magistrate Judge
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